

**Village of Indian Head Park  
201 Acacia Drive  
Indian Head Park, IL 60525**

**MINUTES  
VILLAGE OF INDIAN HEAD PARK  
PLANNING AND ZONING COMMISSION  
WORKSHOP MEETING**

*“Pursuant to 5 ILCS 120/2.06 (3) minutes of public meetings shall include, but need not be limited to: a general description of all matters proposed, discussed, or decided, and a record of votes taken.”*

**Tuesday, November 5, 2013**

**7:30 P.M.**

**CALL TO ORDER – CHAIRMAN DENNIS SCHERMERHORN**

A Planning and Zoning Commission workshop meeting was hosted by the Village of Indian Head Park Planning and Zoning Commission on Tuesday, November 5, 2013, at the Municipal Facility, 201 Acacia Drive. The meeting was convened at 7:30 p.m. by Chairman Dennis Schermerhorn.

**ROLL CALL: PRESENT (AND CONSTITUTING A QUORUM):**

Chairman Dennis Schermerhorn  
Commissioner Noreen Costelloe  
Commissioner Diane Andrews  
Commissioner Timothy Kyzivat  
Commissioner Earl O'Malley  
Commissioner Robert Tantillo  
Commissioner Jack Yelnick

**ALSO PRESENT:**

Tom Hinshaw, Zoning Trustee  
Amy Wittenberg, Zoning Trustee

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Chairman Dennis Schermerhorn and the Planning and Zoning Commission members recited the Pledge of Allegiance to the Flag as follows: ***“I Pledge Allegiance to the Flag of the United States of America and to the republic for which it stands, one nation under God indivisible with liberty and justice for all”.***

## **ZONING AGENDA ITEMS:**

### **1. Commission Discussion Regarding Revisions to Zoning Ordinance, Proposed Timeline and Assignment of Activity Responsibility.**

Chairman Schermerhorn stated the purpose of the workshop meeting this evening is to explore possible revisions to the Village’s zoning ordinance, Title 17, Zoning. He noted the original zoning ordinance was adopted in 1964, although there have been some minor updates over the years to various sections it has not been reviewed in quite some time and the current Board decided it was a good idea at this time to review the ordinance.

Chairman Schermerhorn stated there have been some suggestions that possibly the entire zoning ordinance is outdated and may need to be re-written but that is not necessarily true. He noted it is important to seek input on the existing ordinance from all Commission members, it can then be decided if it needs to be just reformatted or certain sections amended and perhaps before any conclusions are made another meeting can be held next month to allow time for the members to review all of Title 17, Zoning.

Chairman Schermerhorn asked the Commission members to review the ordinance from the perspective of maintaining the characteristic surrounding of the community, to possibly enhance sections of the code that would encourage development in the community and to make the ordinance easily accessible for reference purposes. He further suggested that zoning ordinances established by some neighboring communities could be reviewed for comparison purposes by the Commission members, many of these codes are on those Village websites and many have similar guidelines for setback requirements.

Chairman Schermerhorn stated the Village of Western Springs has their zoning code on line organized and posted on the Website by Sterling Codifiers, there is a fee for that service. If the Commission decides that is the best way to proceed with amendments to the zoning code the cost will need to be determined and budgeted accordingly. He noted most Villages have codes on-line.

Chairman Schermerhorn asked the Commission members to review the zoning ordinance so it can be determined if the code needs to be re-written or can it be amended. He noted the maximum height requirement in R-1 is twenty-five feet (25') and that makes it difficult with building standards today with higher ceilings in new homes and possibly that section can be updated to allow thirty-feet (30') in that zoning district. There have been many setback issues that have come before the Commission over the years and maybe that needs to be reviewed as well, hot tubs outside the buildable area have been an issue as it relates to how it fits the zoning requirements and how it must be installed and some sections of the code can possibly be updated to bring it in to conformity with current standards.

Commissioner O'Malley stated he agrees the zoning ordinance may not need to be entirely re-written but can possibly be updated, many people want to come to Indian Head Park to build nice homes and the setback sections should be reviewed and modified, if needed. He noted there are unusual setbacks on Hiawatha Lane that have resulted in some variances that were needed over the years to allow someone to build a new home because the lots are so long and narrow. In order to get a proper structure sometimes a variance was needed for new homes that were built.

Commissioner Andrews stated when reviewing setbacks there are also many other properties that are zoned R-1 Residential District but have different lot configurations and some areas are Planned Unit Developments. Chairman Schermerhorn suggested that possibly areas that have long narrow lots can have a different zoning designation such as R1A, R1B, R1C that would have different side yard setback requirements. He noted a collective decision needs to be made to determine the best way to update the code so a recommendation can be made to the Village Board with input also by the Village Attorney.

Commissioner Tantillo asked if there is an amount budgeted for legal counsel review, other administrative costs and cost for Website updates to the zoning code. Chairman Schermerhorn stated part of the process before the Commission will be to identify any costs and the Village Board will make that decision to take any action and possibly some of the work can be done by the Commission. Chairman Schermerhorn stated Kathy Leach previously formatted Title 17, Zoning as a Word document so it can be updated and that document is currently on the Website for reference as a PDF file.

Zoning Trustee Tom Hinshaw stated the consideration to update the zoning code is a great idea and since the Title 17, Zoning document is already in a Word format, he could format it as a searchable document for the Website. He noted the previous cost for codification of all of the code since the last update was about \$5,000.

Commissioner Kyzivat stated using the existing zoning ordinance as the framework that is already in place is a good idea and to review other Village guidelines because there may be some sections that other Villages are addressing that may not be incorporated in the Indian Head Park code. Commissioner Kyzivat stated possibly the code could be updated so it is more clearly defined and to remove outdated sections that may not apply. He noted it would be nice to have a section of the zoning code that summarizes in one section most of the important regulations someone might need to refer to when accessing the code. Commissioner Kyzivat further stated it would be a good idea also to review what variances have been considered and granted in the various zoning districts to determine if any adjustments to the code need to be made, some R-1 areas have larger lot space with plenty of space to build. However, Hiawatha Lane has many long narrow lots which make it difficult to build sometimes. He added if there are restrictions on some zoning districts it would also be helpful to list in the code why.

Chairman Schermerhorn stated possibly if there is an area zoned R-1 residential where many of the lots are long and narrow a new zoning district could be created for those particular circumstances with different setbacks. Commissioner Andrews asked if a section regarding regulations for outdoor kitchens and outdoor fireplaces could be added to the code since it is currently not addressed in the code.

Chairman Schermerhorn stated there may be several issues that come up that are not defined in the zoning code, it may be in the buildable area or allowed by another section of the Municipal Code. He noted the definition of structures over one-foot (1') in the zoning code may also need to be reviewed to determine what meets those criteria. Chairman Schermerhorn stated that Counsel Ramello should be consulted on changes to the zoning code before a recommendation is made.

Commissioner Tantillo asked if the prime objective is to try to enhance the code for future development or only one objective, the Commission should review the code to determine if there are antiquated regulations and it might be more beneficial to review the business zoning districts to determine how to encourage development in those areas such as the triangle section of the Village.

Chairman Schermerhorn stated Indian Head Park is a bedroom community with limited areas for development and most commercial development projects will require some input from the Commission for possibly rezoning of a property or special uses under the zoning code.

Commissioner Tantillo stated it is important to set a timeline and also to review zoning regulations that other Villages have in place for the Commission in its advisory capacity to make a recommendation to the Village Board. He asked what will the cost be for Village counsel to review the zoning ordinance. Chairman Schermerhorn stated since the zoning code was established by ordinance Village Counsel would need to prepare an ordinance to amend the existing ordinance for any changes to the code and the Board will need to decide how much to spend.

Commissioner O'Malley stated there was a mention to conduct a study to review codes from Western Springs, Burr Ridge, Addison and Willow Springs. He asked if possibly some of those regulations in all zoning districts could be implemented in the Indian Head Park code, if applicable to improve areas for commercial purposes. Commissioner Yelnick stated there have been many proposals for development in some commercial areas of the Village and due to some particulars with properties some development went to Countryside.

Chairman Schermerhorn asked the Commission members to review the zoning ordinance, to review it from the perspective how a contractor might view the code to access it to make it more desirable and how the code impacts the Village. He asked the Commission members to review the codes with this matter to be continued to the December meeting. Chairman Schermerhorn asked Commissioner O'Malley to research regulations on outdoor kitchens and to provide a report to the Commission at a future meeting.

Zoning Trustee Tom Hinshaw, stated a list was compiled several months ago that listed various sections of the code from Title 17 Zoning regarding setbacks as well as topics in Title 15 Building and Construction such as pools, sheds and hot tubs. He asked if Title 15 is a separate document for review. Chairman Schermerhorn stated the Commission can only consider Title 17, Zoning. Commissioner Costelloe stated the Zoning Board cannot grant variances to the Building Code, Title 15 and those issues are addressed under the permit process. Chairman Schermerhorn stated there may be language from Title 15 that needs to be addressed and incorporated in Title 17, Zoning.

Zoning Trustee Amy Wittenberg stated there may be some sections of Title 15, that may need to be updated as well that are outside the code requirements of B.O.C.A. and other codes adopted by the Village. For example, the definition of a hot tub that it needs to be installed in a deck structure attached to the primary residence in the buildable area. She noted those requirements may not be consistent with the standards for those devices today which are usually detached from the primary residence but then may fall into a setback issue under the zoning regulation.

Chairman Schermerhorn stated that is a good point. However, sometimes sheds, hot tubs and other uses may impact the environmental surroundings of the Village and should be in Title 17, Zoning. Chairman Schermerhorn asked Kathy Leach how plans for these types of projects are reviewed. She noted plans are first reviewed for building and zoning code compliance, a report is prepared to determine if the proposed plan meets requirements of all codes and if the plan is approved, a permit is issued. If the plan is not approved and there is a zoning issue with a structure outside the buildable area, a permit is not issued. At that time the plan can be revised to meet code or someone may seek a hearing process for a variance or special use for that project to be considered.

Commissioner Kyzivat stated the code defines where hot tubs can be placed and if it does not comply, it can be relocated to comply with the requirements. Commissioner Andrews stated hot tubs and sheds must be installed in the buildable area.

**2. Commission Discussion Regarding Revisions to the Village of Indian Head Park Planning Document, Proposed Timeline and Assignment of Responsibility.**

Chairman Schermerhorn stated the Village's Comprehensive Plan was adopted in 1991 and last updated in 1998. He noted there are certain references to development envisioned in certain sections of the Village that no longer apply such as Timber Trails, which is Western Springs. Chairman Schermerhorn pointed out the Comprehensive Plan needs to be updated to attract future commercial development to the Village. He noted the goal is to provide a comprehensive document that would help a developer that is interested in building in Indian Head Park. Chairman Schermerhorn stated it would be beneficial to meet with current business owners in the community to ask their input on what would help their business to support future development in the community whether it is through tax incentives or infrastructure.

Chairman Schermerhorn stated that there are two commercial areas in town (the Brookside Plaza which is developed and the triangle commercial area south of Joliet Road which includes the Indian Head Park Plaza and surrounding areas). He noted the Village is not a member of the Chamber of Commerce so possibly some of the local realtors in the area can help the Village market some of the properties to be developed. Chairman Schermerhorn stated the Dome Restaurant space is for rent, there are a couple of empty store fronts at the Indian Head Park Plaza, the entire façade of the plaza needs some work and there are some vacant residential homes that are zoned for business.

Commissioner Yelnick stated the parking configuration at the Flagg Creek Center (Dimoff property) where Bozenza Day Spa and Cha Lor Flowers is located is very difficult to maneuver in and out of the plaza. He asked how that parking lot configuration could have been approved.

Commissioner Yelnick further stated the high rise condominiums next to that shopping center is also an unusual layout with difficult parking and it does not seem to fit the project development area. He noted there are people who would love to sit down with Administration to talk about their project to possibly bring it to Indian Head Park to enhance revenue to the Village. Commissioner Yelnick stated we all need to be more open minded to different development concepts to help all business districts to enhance areas of the community and there may be people interested in developing in Indian Head Park.

Commissioner Andrews stated there are some existing business owners in the triangle area that have not been cooperative with the Village as well as a couple homeowners in the business district who are not interested in selling their property. Commissioner O'Malley stated he did not know why the developer in the triangle area demolished the building along Joliet Road without having a plan in place. Commissioner Andrews stated a plan was approved for the IHP Development project. However, due to the economic situation at the time, the project did not move forward.

Chairman Schermerhorn asked Commissioner Yelnick to seek input from current business owners about the business district areas. Commissioner Yelnick stated over a year ago he had a volleyball club contact who was interested in talking to the Village about a sports facility in the commercial district at 70<sup>th</sup> Place to conduct programs with people from all over and they may still be looking for a place for their facility.

Commissioner O'Malley asked if there is any potential for future development of the properties at 70<sup>th</sup> Place. He noted there are a couple of homes within the business district also in that area and some vacant land. He noted a commercial billboard sign was also taken down at 70<sup>th</sup> Place and he asked if there are any plans for that property. Chairman Schermerhorn stated the property may be for sale as well as other properties in that area. He asked the Commission members if there is any interest in meeting the business owners to seek input on the business districts. The consensus of the Commission stated it is a good idea to meet with business owners.



Commissioner Kyzivat stated it is a good idea to ask business owners what they would like to see in terms of development that would help their business and bring the most people into the community. Chairman Schermerhorn stated it is not the Commission's responsibility to determine what commercial development should come to the community but to establish guidelines for different zoning districts and make recommendations to the Village Board.

Zoning Trustee Amy Wittenberg stated it needs to be determined how we are using our resources in our business districts and how businesses are paying for the services they are using. She noted it is important to have that dialogue with the businesses and meeting with businesses is a good idea. Chairman Schermerhorn stated it is a busy time in the retail industry so possibly a meeting can be held with businesses after the 1<sup>st</sup> of the year.

Commissioner O'Malley stated he has concerns about the Dominick's going out of business across the street from the Indian Head Park Brookside Plaza. He stated the closure of Dominick's in Countryside could affect business in the Indian Head Park Brookside Plaza. Commissioner Tantillo asked what land is covered in the area referred to as the triangle. Chairman Schermerhorn stated the area is along Joliet Road close to the tollway across from the Wolf's Head Inn, there is some property on Vine Street and six homes along Wolf Road that are vacant. He noted the developer may have had some cash flow problems and the down turn in the economy affected the development as well and the properties are zoned B-3 Business District.

Commissioner Yelnick stated someone needs to talk to the bank if they are owned by the bank to get the residential homes that are vacant up to code or to tear them down. He noted there was a lot of refuse when the homes were vacated when the bank took them over and there may be safety concerns with someone trying to enter the vacant homes. Kathy Leach stated Frank Alonzo has been in contact with bank representatives previously about maintenance of the properties. Chairman Schermerhorn stated the Commission will meet again on these two topics at the December zoning meeting with a recommendation how to proceed with amendments to the Comprehensive Plan and Title 17, Zoning.

#### **PUBLIC COMMENTS FROM THE AUDIENCE**

There were no public comments from the audience.

## **APPROVAL OF PLANNING AND ZONING COMMISSION MEETING MINUTES**

After review of the minutes from the last regular scheduled meeting held May 7, 2013, Commissioner Andrews moved, seconded by Commissioner Costelloe, to approve the May 7, 2013 meeting minutes, as amended. Carried by unanimous voice vote (6/0/0).

## **ADJOURNMENT**

There being no further business to discuss before the Commission, Commissioner Costelloe moved, seconded by Commissioner O'Malley, to adjourn the meeting at 8:45 p.m. Carried by unanimous voice vote (6/0/0).

Minutes prepared and submitted by,  
Kathy Leach, Recording Secretary  
Planning and Zoning Commission